



TERRITORY OF GUAM  
OFFICE OF THE GOVERNOR  
AGAÑA, GUAM 96910  
U. S. A.

**EXECUTIVE ORDER NO. 2001-38**

**RELATIVE TO DECLARING AN EMERGENCY IN  
ORDER TO PREPARE AND RESPOND TO THE  
APPROACH OF SUPER TYPHOON FAXAI TOWARDS  
GUAM.**

**WHEREAS**, Super Typhoon Faxai already sustains winds in excess of 160 mph with gusts to 196 mph, and poses a serious threat to Guam as it may at any time shift direction slightly and engulf our island in destructive winds of a great magnitude; and

**WHEREAS**, due to the serious destructive nature of Super Typhoon Faxai, Typhoon Condition 3 was declared as of noon on Saturday, December 22, and this condition is still in effect; and

**WHEREAS**, Guam has in the past suffered severe damage from typhoons which changed direction, intensified severely at the last minute before striking the island, and other such last minute weather changes, necessitating a thorough preparation for possible impacts of serious storms when they have a potential track to damage our island; and

**WHEREAS**, Super Typhoon Faxai has the potential to seriously damage any land mass that it would come in contact with, and therefore the Office of Civil Defense, the Department of Public Works, the Guam Police Department, the Guam Power Authority, and many other island departments and agencies are on duty to prepare for the possible impact of Super Typhoon Faxai;

**NOW, THEREFORE, I, CARL T.C. GUTIERREZ, I Maga'Lahen Guãhan, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do order:**

- 1. Declaration of state of emergency.** A state of emergency is declared due to the approach towards Guam of Super Typhoon Faxai and the necessity to expend funds to mitigate damage and pay expenses directly associated with civil defense, public safety or health emergencies.
- 2. Emergency procurement and emergency expenses.** Pursuant to §5215 of Title 5, Guam Code Annotated, authorizing emergency procurement upon executive order, this executive order shall authorize emergency procurement for overtime, heavy equipment rental, supplies and materials, DOE typhoon shelter preparations, lodging for displaced residents in the event of flooding as a result of the approach of Super Typhoon Faxai towards Guam; the expenditures to come from appropriations made available by the Legislature in Public Law No. 26-69 and any future appropriations provided by the Legislature.
- 3. Further authorization for emergency procurement unnecessary.** The authorization for the certification, approval, and expenditure of necessary



funds pursuant to §5215 of Title 5, Guam Code Annotated shall be this executive order and any identified funds already appropriated and any funds appropriated after the date of this executive order for the same purpose.

4. **Purpose of emergency procurement and expenditure of funds.** Emergency procurement may be used for procurement of any goods and services provided by the Office of Civil Defense of the Department of Military Affairs as the lead agency in the provision of goods and services relative to the passage of Super Typhoon Faxai near Guam; and continuing for Thirty (30) days after the date of this executive order as provided in §5215 of Title 5, Guam Code Annotated.

**SIGNED AND PROMULGATED** at Hagåtña, Guam this 23rd day of December, 2001.

A handwritten signature in black ink, appearing to read "Carl T. C. Gutierrez", written over a horizontal line.

**CARL T. C. GUTIERREZ**  
I Maga'Lahen Guåhan  
Governor of Guam